CHOEFF REOFINED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Harrison Road, 480' E of the c/I

Sollers Point Road (1906 Harrison Road) 12th Election District 7th Councilmanic District

David Brown, et ux Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 99-346-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, David and Lois Brown. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6 feet in lieu of the required 10 feet for a proposed 6' x 24' bedroom addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

TMK:bjs

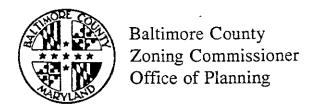
CHUER RECEMBLY FOR FILING

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO Deputy Zoning Commissioner

for Baltimore County



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

April 7, 1999

Mr. & Mrs. David Brown 1906 Harrison Road Dundalk, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Harrison Road, 480' E of the c/l Sollers Point Road
(1906 Harrison Road)
12th Election District – 7th Councilmanic District
David Brown, et ux - Petitioners
Case No. 99-346-A

Dear Mr. & Mrs. Brown:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

TMK:bjs

cc: Mr. Nicholas Trey

5205 East Drive, Suite T, Baltimore, Md. 21227

People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1906 HARRISON Road which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1802,3.C.1 BCZR

ALLOW AN ADDITION WITH A SIDE YARD SETBACK OF 6' IN liew the required 10%,

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

					are and affirm, under the ne legal owner(s) of the p etition.	
<u>C</u>	Contract Purch	aser/Lessee:		Legal Owner(s):		
				MR DAVID BE	lown	
N	ame - Type or Print			Nante-Type or Print		
Si	ignature			Signature		
<u> </u>	ddress		Telephone No.		<u> </u>	
^	udiess		releptione No.	Name - Type or Print	Razza	
C	ity	State	Zip Code	Signature	WK 410.	- 284-2424
A	ttorney For Pe	etitioner:		1906 HARRISON	Road 410-	-282-4328
				Address		Telephone No.
				DINDALK	Pto	21222
N	ame - Type or Print			City	State	Zip Code
				Representative to	be Contacted:	
51	ignature			Nicholas Ti	- 'cv/	
O C	ompany	· · · · · · · · · · · · · · · · · · ·	· · ·	Name		
ON I				5205 EAST]	DRIVE SUITE T.	410-247-690
Ā	ddress		Telephone No.	Address	_	Telephone No.
					<u></u>	21227
	ity	State	Zip Code	City	State	Zip Code
<u> </u>	Rublic Hearing hav	ing been formally demande	d and/or found to b	e required, it is ordered by th	e Zoning Commissioner of	Baltimore County.
	day of	that e County and that the property	the subject matter of	this petition be set for a public !	nearing, advertised, as requ	ired by the zoning
5 %	aniana or pakirnor	e County and that the property	be reposted.			
その	400					
到	<i>4</i> 77			Zoning Commi	ssioner of Baltimore County	
Œ ,	CASE NO.	99-346-4	D _o	viewed By JRF	Date 3-8	-00
世,	1 1 -		Re	Alewed by		
	हैय श्राहा १८		Es	timated Posting Date _	3-21-99	

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	1906 HURRI Address	son Road	
	Dundalk	MD	ス(222 Zip Code
That based upon personal knowledge, the foll Variance at the above address (indicate hards	lowing are the facts unhip or practical difficu	pon which I/we base the req lty):	
Property has a 10' side	Setback, T	here is 121 flow	n the
house to the property	line and	proposing a 25	1'X6'
ENCLOSURE. Leaving a	setback of	6' to property	line.
Asking for a VARIANCE	of 41.		
(Need more space for	arowning F	amily)	
That the Affiant(s) acknowledge(s) that if a tadvertising fee and may be required to provide	additional information	ed, Affiant(s) will be required 1. Mus Lins Bussul nature	
DAVID K. BROWN	_	mature MRS LOIS BROWN me - Type or Print	
Name - Type or Print	Nat	me - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTI			
HEREBY CERTIFY, this 2 day of of Maryland, in and for the County aforesaid, po	ALCH ersonally appeared		Notary Public of the State
he Affiant(s) herein, personally known or satisfaw that the matters and facts hereinabove set	Statun sfactorily identified to forth are true and con	me as such Affiant(s), and rect to the best of his/her/their	nade oath in due form of r knowledge and belief.
AS WITNESS my hand and Notarial Seal			
<u> </u>	June	2 A Cavarrer	
54.0	My Commi	ssion Expires 91199	

REU 09/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	1906 HAR	rison Road	
	Dunchalk	MQ.	21222
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts	upon which I/we base the	Zip Code request for an Administrative
PROPERTY HAS A 10' side	setback.	There is 12'	FROM THE
have to the property 1:	ne and	proposing a 25	t' × 6'
ENCLOSURE. leaving a	setback o	of 6' to th	e property
line. Asking for a	VARIANCE	of 4'.	
(Need MORE SPACE FOR	L GROW:no	(FAmily)	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is fi additional information	led, Affiant(s) will be requi on.	red to pay a reposting and
Signature		Mrs Lors B.	ian
DAVID K. BROWN Name - Type or Print	N	Mrs Lors 13. ignature MRS LOIS BA ame - Type or Print	ROWN
STATE OF MARYLAND, COUNTY OF BALTIN			
HEREBY CERTIFY, this day of more day of and for the County aforesaid, pe		$\underline{\hspace{1cm}}$, $\underline{\cancel{199}}$, before me,	a Notary Public of the State
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	factorily identified to	o me as such Affiant(s), an orrect to the best of his/her/t	d made oath in due form of heir knowledge and belief.
AS WITNESS my hand and Notarial Seal			
3/2/99 Date	Han	er A Carmer	
Daic	My Comn	es A Cuvrnes ublic nission Expires 9/10	<i>3</i> 5

REU 09/15/98



REV 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	1906	HARRISON	Road	
which	is pres	ently zoned D).R. 5.5	

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) IBO2.3 C.I BCZR

To allow an addition with a side yard setback of 6' in lieu of the required 10'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we are the legal is the subject of this Petition.	al owner(s) of the	
Contract Purchase	er/Lessee:	·	Legal Owner(s):		
Name - Type or Print			MR DAVID GROW	<i>1</i> 1	
Signature		 	Signature MRS LOIS BROW	· •	
Address		Telephone No.	Name - Type or Print . Mus. Jos. B.	4444	
City	State	Zip Code	Signature	WK 4	10-284-2424
Attorney For Petiti	oner:		1906 HARRISON R	4 GAOS	10-282-4328
			Address		Telephone No.
			DUNDAUK	MD.	21222
Name - Type or Print			City	State	Zip Code
			Representative to be (Contacted:	
Signature			Nicholas Tray		
Company			Name		
Address		Telephone No.	5205 EAST DRIV	C SUITE T	7. 410-247-640 Telephone No.
		,, , ,	Balto.	MD	21227
City	State	Zip Code	City	State	Zip Code
A Public Hearing having this day of countries Co	. th	at the subject matter of t	required, it is ordered by the Zonin his petition be set for a public hearing,	ng Commissioner o , advertised, as req	f Baltimore County, juired by the zoning
			Zoning Commissioner	of Baltimore Count	·y

Estimated Posting Date

Zoning Description FOR 1906 HARRISON Road

Beginning at a point on the North side of HARRISON Road which is 40 feet wide at the distance of 480 Feet EAST OF THE Newest improved intersecting Street Sollers Point which is 45 feet wide. Being Lot #11, Block #8, Section ___, in the subdivision of Willow Spring Park as recorded in Baltimore country Plat Book # 12, Folio#58, Containing 5,400 square feet. Also known as 1906 HHERISON Road and located in the 12th Election District, 7th Comcilmanic District.

346

CERTIFICATE OF POSTING

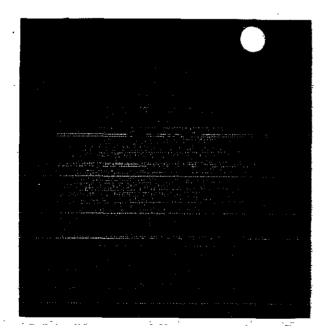
RE: CASE # 99-346-A
PETITIONER/DEVELOPER:
(David & Lois Brown)
DATE OF Closing
[APR. 5, 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1906 Harrison Road Baltimore, Maryland 21222______



Sincerely,
Olam Detshirles
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405

[Telephone Number]

Date: $\frac{2}{122} \frac{199}{9}$
From: MARTIN WIST
To: Baltimore County Zoning Commissioner Baltimore County Office of Licenses and Permits County Office Building Towson, Maryland 21204
Dear Sir,
This letter is provided to inform and confirm to the Baltimore County Zoning Commissioner that I have "no objection" to his office granting a "variance and construction permit" as applied for by the owner of near property known as (1906 Harrison Road, Baltimore County, Maryland 21222).
I understand that application made if approved will allow by addition construction enlargement of the current dwelling and said construction may exceed or extend the current building envelope requirements.
Respectfully Submitted,
Martin Velese
MARTIN WISC Print Name
1907 HARRISON RD Address
410-28-8-0392

34G 99.346.A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 346 -A Address 1906 Harrison Road				
Contact Person:				
Filing Date: $3-8-99$ Posting Date: $3-21-99$ Closing Date: $4-5-99$				
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.				
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.				
 DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no forma request for a public hearing, the process is not complete on the closing date. 				
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted denied, or will go to public hearing. The order will be mailed to you by First Class mail.				
4. <u>POSSIBLE PUBLIC HEARING AND REPOSTING:</u> In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.				
(Detach Along Dotted Line)				
Petitioner: This Part of the Form is for the Sign Poster Only				
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT				
Case Number 99-346 -A Address 1906 Harrison Road				
Petitioner's Name <u>David & Lois Brown</u> Telephone <u>410-282-4328</u>				
Posting Date: 3-21-99 Closing Date: 4-5-99				
Wording for Sign: To Permit an addition with a side yard sotback of				
6' in lieu of the required 10'				

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

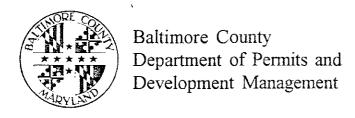
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Item Number or Case Number: 346	
Petitioner: DAVID & LDIS BLOWA	
Address or Location: 1906 HARRISON Road	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Classic Remodeling Corp.	
Address: 5205 EAST DRIVE SUITE, T.	
BALTO. MD. 21227	
Telephone Number: <u>410-247-6900</u>	

Revised 2/20/98 - SCJ

99.346.A



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 6, 1999

Mr. Nichols Trey 5205 East Drive, Suite T Baltimore, MD 21227

> RE: Case No.: 99-346-A Petitioner: Brown

> > Location: 1906 Harrison Avenue

Dear Mr. Trey:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on March 8, 1999.

which consists The Advisory Committee (ZAC), Zoning representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, fr fff W. Carl Richards, Jr.

Zoning Supervisor Zoning Review

Come visit the County's Website at www.co.ba.md.us

WCR: ggs

Enclosures

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director Permits and Development Management

DATE: 3/30/99

FROM:

R. Bruce Seeley, Project Manager

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: 3/22/99

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

349

350

351

355

A.16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: March 23, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 341, 343, 346, 352, and 353

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Parris N. Glendenina Governor John D. Porcari Secretary Parker F Williams Administrator

Date:

3.24.99

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County

Item No. 346

JRF

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P.J. Doll Michael M. Lenhart, Acting Chief Engineering Access Permits Division

Date: <u>212199</u>
From: LUIZ GHISSINGET
To: Baltimore County Zoning Commissioner Baltimore County Office of Licenses and Permits County Office Building Towson, Maryland 21204
Dear Sir,
This letter is provided to inform and confirm to the Baltimore County Zoning Commissioner that I have "no objection" to his office granting a "variance and construction permit" as applied for by the owner of near property known as (1906 Harrison Road, Baltimore County, Maryland 21222).
I understand that application made if approved will allow by addition construction enlargement of the current dwelling and said construction may exceed or extend the current building envelope requirements.
Respectfully Submitted,
Luca Gressinger
HUIZ Grissinger Print Name
1904 HZMMISON RD. Address
Baltimore, MD. 21222

99.346-A

Date: $\frac{2}{12^3} \frac{99}{99}$

From: Charles McClevish JR.

1908 Harrison Rd

Baltimore, MA 21212

To: Baltimore County Zoning Commissioner
Baltimore County Office of Licenses and Permits
County Office Building
Towson, Maryland 21204

Dear Sir,

This letter is provided to inform and confirm to the Baltimore County Zoning Commissioner that I have "no objection" to his office granting a "variance and construction permit" as applied for by the owner of near property known as (1906 Harrison Road, Baltimore County, Maryland 21222).

I understand that application made if approved will allow by addition construction enlargement of the current dwelling and said construction may exceed or extend the current building envelope requirements.

Charles McCloush Jr.

Print Name

Address

1908 Harnson Rd Baltimore, Md 2022

346

This letter is provided to inform and confirm to the Baltimore County Zoning Commissioner that I have "no objection" to his office granting a "variance and construction permit" as applied for by the owner of near property known as (1906 Harrison Road, Baltimore County, Maryland 21222).
I understand that application made if approved will allow by addition construction enlargement of the current dwelling and said construction may exceed or extend the current building envelope requirements.
Respectfully Submitted,
Alenda Foltz Glenda Foltz Print Name 1902 Harrison Rd Address Balto, MD 2122

Date: <u>A 120199</u>

From: Glenda Foltz 1902 Harrison Rd

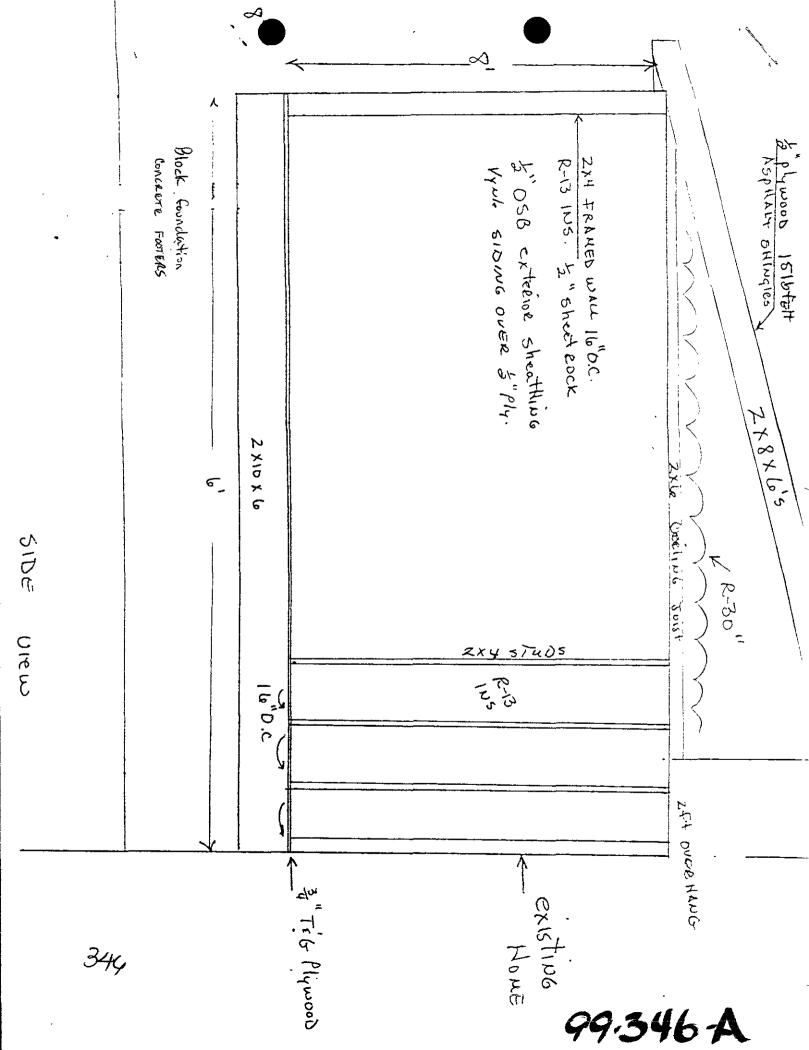
To: Baltimore County Zoning Commissioner

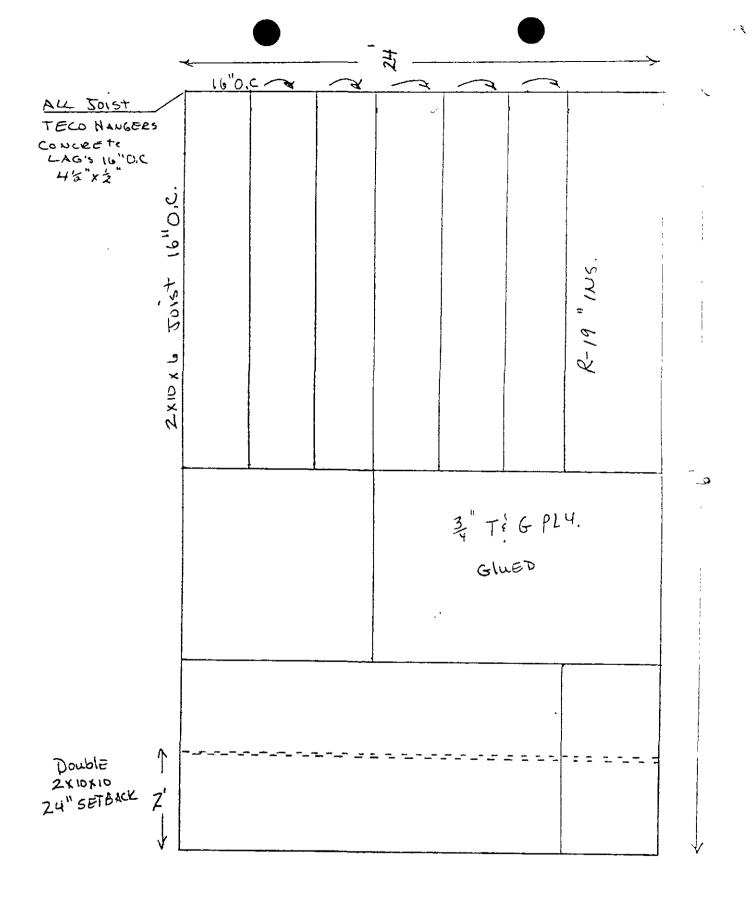
County Office Building Towson, Maryland 21204

Dear Sir,

alto, Mo 2122

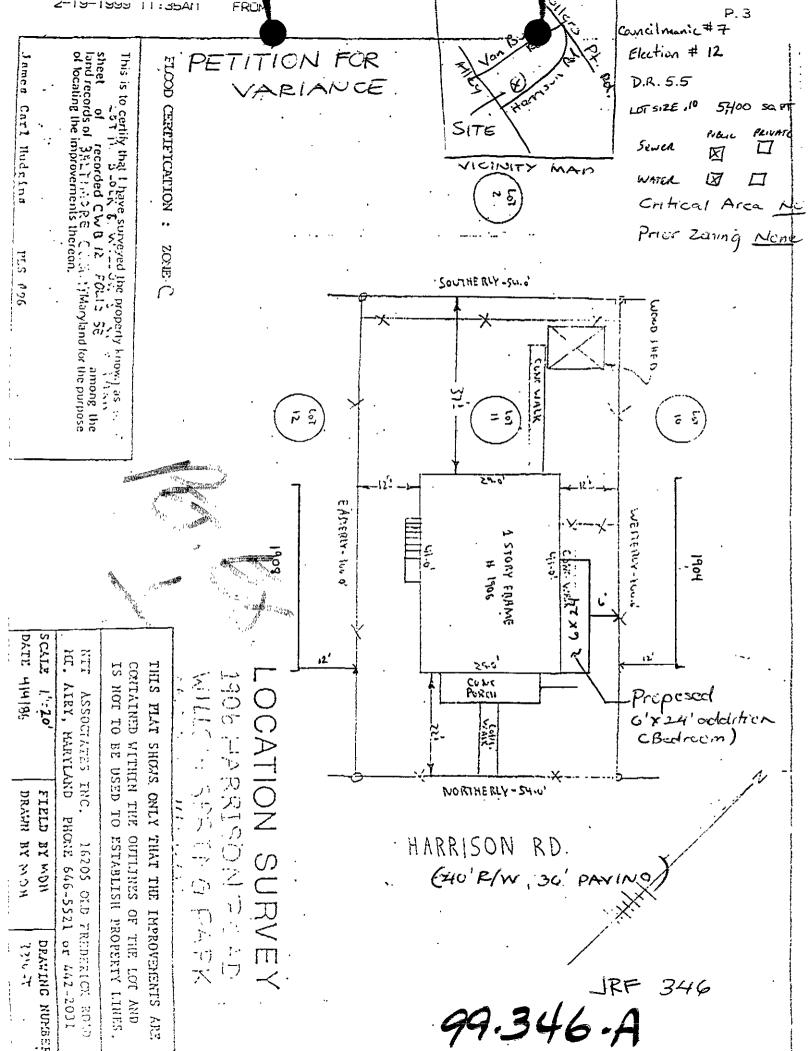
Baltimore County Office of Licenses and Permits

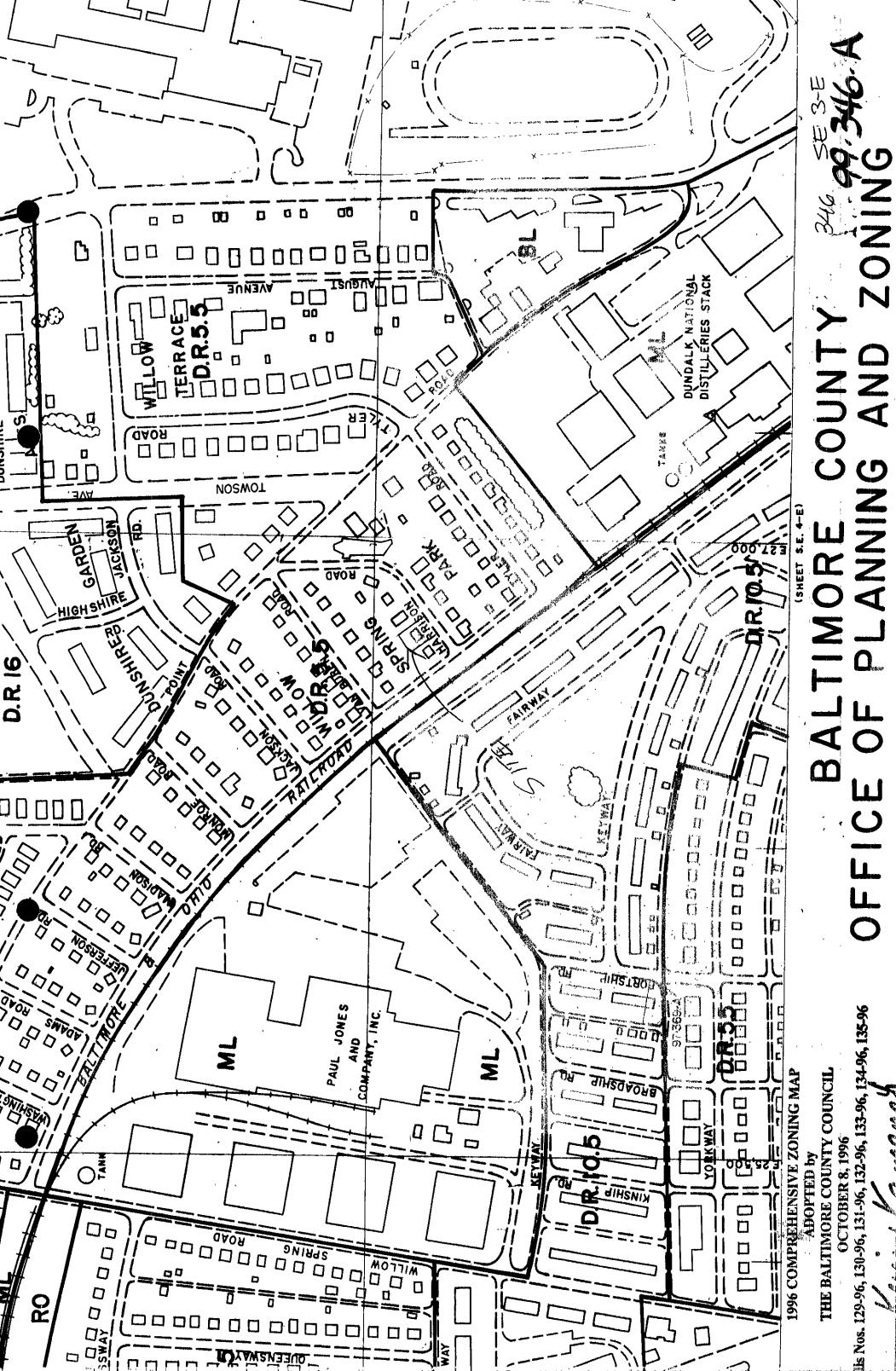




1 x la Forsia 2 x 10 x 12.4 24 ' ¿ Guttee.

FRONT UNEW







1908'S HOUSE ADJACENT TO PROPOSED ADDITION

* SEE APPROVAL LETTER



EXTENDED SIDE YARD PICTURE W/ 1904'S HOUSE ADJACENT TO ADDITION * SEE APPROVAL LETTER 99.346.A

3Hle



SIDE YARD OF PROPOSED ENCLOSUER



FRONT VIEW OF PROPOSED AREA

344

99-346-A

